

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

Complete if Known

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Sheet 1 of 1

Application Number	10/534,797
Filing Date	5/12/2005
First Named Inventor	Michael Rose
Art Unit	3752
Examiner Name	UNKNOWN
Attorney Docket Number	512100-2047

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS				
Examiner Initials*	Cite No.*	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Country Code ³ *Number ⁴ *Kind Code ⁵ (if known)		Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		DE-1023691-A1	04-03-2004	Keilhauer
		FR-2,745,720	12-09-1997	Istin Michel

Examiner _____ Date _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. **Applicant's unique citation designation number (optional):** ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. **Enter** Office that issued the document, by the two-letter code (WIPO Standard ST.3). **For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.** **Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.** ³ **Applicant** is to place a check mark here if English language Translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Michael Roreger , Neuwied, (DE)

Serial No. : 10/534,797

Filing Date : 05-12-2005

For : Dispenser for the controlled release of volatile substances

Examiner : UNKNOWN

Art Unit : 3752

745 Fifth Avenue
New York, NY 10151

Mail Stop: **Amendment**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

SIR:

Pursuant to 37 CFR §§ 1.56, 1.97 and 1.98, Applicants respectfully request that the Examiner consider the references listed on the attached Form PTO-1449. The Commissioner is hereby authorized to charge any additional fee which may be required, or credit any overpayment to Account No. 50-0320.

1. Timeliness, Fees and Certifications in lieu of Fees

A. This information disclosure statement is being filed within three months of the filing date of the application, or within three months of entry into the national stage, or before the mailing of a first Office Action on the merits. Pursuant to 37 CFR § 1.97(b), consideration of this information disclosure statement does not require a fee or a statement under 37 CFR § 1.97(e). However, should the Commissioner determine that a fee is, in fact, due, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 50-0320.

B. This information disclosure statement is being filed after the period in A above, but before the mailing of either a final action or a notice of allowance. Pursuant to 37 CFR § 1.97(c), consideration of this information disclosure statement requires a fee or a statement under 37 CFR § 1.97(e):

- 1. The Commissioner is hereby authorized to charge the fee set forth in 37 CFR § 1.17(p) to Deposit Account No. 50-0320.
- 2. Applicants hereby state that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.
- 3. Applicants hereby state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this information disclosure statement.

C. This information disclosure statement is being filed after the period specified in B above, but on or before the payment of the issue fee. Pursuant to 37 CFR § 1.97(d), consideration of this information disclosure statement requires a petition, which Applicants hereby request, and payment of the petition fee, which is set forth in 37 CFR § 1.17(i), and which the Commissioner is hereby authorized to charge to Deposit Account No. 50-0320. Consideration of this information disclosure statement also requires a statement under 37 CFR § 1.97(e):

- 1. Applicants hereby state that each item of information contained in this information disclosure statement was cited in a communication from a

foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

2. Applicants hereby state that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 CFR § 1.56 more than three months prior to the filing of this information disclosure statement.

II. Copies of Listed References

A. No copies of references are being provided as all references cited on Form PTO-1449 are either U.S. Patents or U.S. Patent Application Publications.

B. Copies of all references which are foreign patents or non-patent literature listed on the attached Form PTO-1449 are being supplied.

C. Copies of all references listed on the attached Form PTO-1449 have already been supplied during the prosecution of prior application Serial No. ___, filed ___, from which the present application claims priority pursuant to 35 USC § 120. Therefore, pursuant to 37 CFR § 1.98(d), copies of the references listed on the attached Form PTO-1449 are not now being supplied.

D. This application is a PCT national stage application, all references listed on the attached Form PTO-1449 were cited in the international search report, and PCT/DO/EO/903 indicates that both the international search report and the copies of the references listed on the attached Form PTO-1449 are in this national stage file. Therefore, copies of the references listed on the attached Form PTO-1449 are not now being supplied.

III. Concise Statement of Relevance

A. All references listed on the attached Form PTO-1449 are in the English language or an English language abstract has been provided, and, therefore, a concise statement of relevance is not required. (These references were cited in the search for the corresponding European application EP 04010421.8)

B. A concise statement of the relevance of all references listed on the attached Form PTO-1449 that are *not in the English language*, is being provided

on a separate sheet.

- C. All references listed on the attached Form PTO-1449 were cited in the search report issued by the _____ Patent Office, and an English-language version of that search report, which indicates the degree of relevance found by that Patent Office, is attached.
- D. This application is a PCT national stage application, all references listed on the attached Form PTO-1449 were cited in the international search report, and a copy of that search report, which indicates the degree of relevance found by the International Search Authority, is attached.
- E. All listed on the attached Form PTO 1449 were cited during the prosecution of the prior application indicated above under II.B.

IV. Additional Information

- A. In addition to the references listed on the attached Form PTO-1449, Applicants wish to bring to the attention of the Examiner the following abandoned or co-pending U.S. patent applications:

[Pursuant to 37 CFR § 1.98(a)(2)(iii), copies of these applications are not being submitted.]
- B. In addition of the references listed on the attached Form PTO-1449, Applicants wish to bring to the attention of the Examiner the information provided on the attached sheet.

Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By Howard C. Lee

Marilyn Brogan	Howard C. Lee
Reg. No. 31,233	Reg. No. 48,104
745 Fifth Ave.	
New York, New York 10151	
(212) 588-0800	